

### **Detailed Action**

#### **Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 10, 12-14, 21-23, 30, and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Soloway et al. (cited 5,265,092).

For claim 1, Soloway et al. disclose a method for handling Link State Packets (LSPs) sent between processing nodes within a computer network, the method comprising: at a first node, receiving an LSP sent by a second node, wherein the LSP specifies connectivity information regarding the second node (see col. 21, lines 47-49, wherein a Ready Announcement is interpreted as the LSP and is sent from an LSP originator to a receiving switch); determining whether the received LSP is and updated LSP even when the received LSP is considered older than another LSP previously sent by the second node to the first node (see col. 22, lines 32-45, wherein it is determined if the Ready Announcement is updated, regardless of the sending date, which is determined by comparing local sequence numbers); if it is determined that the received LSP

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is and updated LSP, performing updating procedures on LSP information that is maintained by the first node, based on the first received LSP, wherein the LSP information was obtained from one or more LSPs sent by the second node (see col. 22, lines 46-56, wherein LSP information is updated in the LSP database at the receiving switch), and updating the first node's routing tables based on the LSP information maintained by the first node after the updating procedures on the LSP information are performed (see col. 23, lines 23-30, wherein the forwarding table is updated based on the LSP information after the updating procedures).

Claim 12 is rejected for similar reasons, wherein a switch is the first apparatus, which inherently has a processor and memory. Claims 21 and 32 are rejected for similar reasons.

For claim 2, Soloway et al. disclose the received LSP is in a format which complies with a link state type routing protocol (see col. 6, lines 34-36, wherein the LSP complies with link state type routing protocols) and the LSP is considered older than another LSP based on one or more rules of the link state type routing protocol (see col. 22, lines 32-45, wherein an LSP is considered older if it has a smaller sequence number). Claims 13 and 22 rejected for similar reasons.

For claim 3, Soloway et al. disclose the received LSP is in a format which complies with the Intermediate System to Intermediate System (IS-IS) Protocol

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(see col. 6, lines 3-4, which refers to col. 1, lines 34-43) and the LSP is considered older than another LSP based on one or more rules of the IS-IS protocol (see col. 22, lines 32-45, wherein an LSP is considered older if it has a smaller sequence number). Claims 14 and 23 rejected for similar reasons.

For claim 10, Soloway et al. disclose the LSP information is updated only if one or more purging conditions are met that minimize security problems (see col. 22, lines 46-56, wherein LSP information is updated in the LSP database at the receiving switch, and wherein the term “purging conditions” is vague and interpreted as the sequence number being higher than a previously stored sequence number). Claim 30 is rejected for similar reasons.

### **Allowable Subject Matter**

2. Claims 4-7, 9, 11, 15-18, 20, 24-27, 29, 31, 33-35, and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. Claims 38-42, 44-51, 53-60, 62-65, and 67-69 are allowed.

### **Response to Arguments**

4. Applicant's arguments filed with respect to claims 1, 12, 21, and 32 have been fully considered but they are not persuasive. Applicant argues on page 20

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of the Remarks that "Soloway appears to not teach updating LSP information based on a received LSP, even when such received LSP is older than a last previously received LSP, and then updating routing tables based on such updated LSP information". In reply, as shown in column 22, lines 32-56 with respect to figure 10, the ILSP is update at block 94 based on the received LSP information in block 88, regardless of the date of the received LSP information. If the LSP information was older than the last previously received LSP, the decision block moves to block 90 before the ILSP is updated, thereby updating the LSP based on LSP information older than a last previously received LSP. At blocks 96 to 108, the forwarding table is updated based the updated LSP information from block 94, as shown in column 23, lines 23-30.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dargaye H. Churnet whose telephone number is 571-270-1417. The examiner can normally be reached on Monday-Friday from 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571-272-3126. The fax

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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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